IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

Crl.Rev.Pet.No. 4415 of 2006()

CRA.92/2006 of SESSIONS COURT, KOZHIKOE
CC.822/2003 of JUDL.MAGISTRATE OF FIRST CLASS, KOYILANDY
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REVN. PETITIONER/APPELLANT/ACCUSED:

P.R. PRABHAKARAN, AGED 54 YEARS,
S/O. DAMODHARAN NAMBIAR, THEJAS, P.O. ONCHIYAM,
(VIA) CHOMBALA, VADAKARA.

BY ADV. SMT.T.KAMALA MENON

RESPONDENTS/ COMPLAINANT & STATE:
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1. T.V. JAYARAJAN, S/O. DAMODHARAN,
D2 MEERA HOMES, BEHIND HOMOEO COLLEGE,
P.O. CIVIL STATION, KOZHIKODE.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI
R1 SRI.SANTHARAM.P

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.4415 of 2006

Dated this the 15th day of February, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the Sessions Judge to pay an amount of Rs.3,00,000/- as compensation to the complainant under Section 357(3) of Criminal Procedure Code and in default, to undergo simple imprisonment for four months.

2. The learned counsel for the revision petitioner has only sought for modification of the sentence to undergo simple imprisonment for a period of three months. In the circumstances, sentence is modified imprisonment till the rising of the court and to make payment of compensation as ordered by the courts below. Considering the plea of the counsel for the revision petitioner, the revision petitioner is granted three months' time to pay the amount of compensation to the complainant. Revision petitioner shall appear before Judicial

First Class Magistrate Court - Koyilandy on 16.5.2007 to receive the sentence. NBW, if any, pending shall be kept in abeyance till 16.5.2007.

The Criminal Revision Petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl

M.SASIDHARAN NAMBIAR, J

S.A.No.709 of 1996

JUDGMENT

1st February, 2007